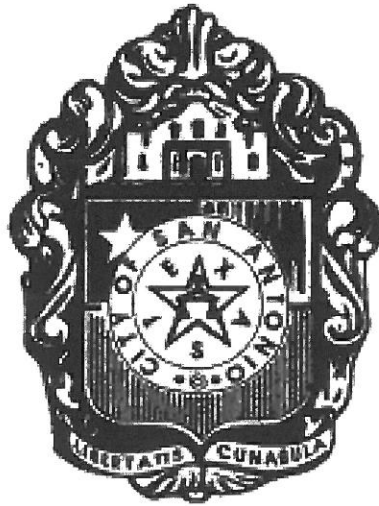


**CITY OF SAN ANTONIO  
AVIATION DEPARTMENT**



**REQUEST FOR QUALIFICATIONS  
FOR  
CONSTRUCTION MATERIALS TESTING SERVICES  
ON AN IDIQ BASIS**

**Release Date: Wednesday, September 26, 2012**

**Due Date: Friday, October 26, 2012, 2:00 p.m.**

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## **I. BACKGROUND**

The City of San Antonio (City) is seeking Statement of Qualifications (SOQ) from qualified firms interested in providing Construction Materials Testing Services (CMT Services) on an Indefinite Delivery Indefinite Quantities (IDIQ) basis to the Aviation Department (Department) as needed for various Aviation projects at both the San Antonio International Airport (SAT) and Stinson Municipal Airport (SSF).

The Department's intent is to gain timely access to CMT Services by entering into one or more IDIQ Professional Services Agreement(s) (PSAs) with qualified, selected Respondents (Consultants). Projects for which CMT Services may be required include, but are not limited to:

- New and/or Rehabilitated Airfield Pavements (Runways, Taxiways, Aprons)
- New, Relocated, and/or Modified Airfield Facilities (Drainage Structures, Utility Duct Banks, etc.)
- New and/or Rehabilitated Vehicle Roadways (Landside and Airside)
- New Vertical Construction, and/or
- Modifications to Existing Structures (Terminals, Parking Garages, etc.).

Once the responses have been reviewed and Respondents have been selected, the Department will seek the City Council's approval of an ordinance authorizing the total funds that may be expended ("Authorized Expenditure") under the PSA(s). The City does not guarantee that the Authorized Expenditure will be spent under the PSA(s). The City does not guarantee to use any selected Respondent for any minimum amount of work, any minimum percentage of work, or any minimum value of work.

### **Minimum Qualifications**

Respondents must have an established in-house laboratory meeting the standards of the American Standard Testing Materials (ASTM) requirements, must be qualified as consultants, as required by law for the proposed services, and must be capable of providing the in-house personnel and services indicated in the basic services required. In addition, laboratory accreditations must be current and listed on the accrediting authority's website. All test methods required for acceptance sampling and testing must be listed on the lab accreditation.

### **Disadvantaged Business Enterprise (DBE) Program Requirements**

It is the policy of the City that Disadvantaged Business Enterprises (DBEs) as defined under 49 CFR Part 26, shall have "equality of opportunity" to participate in the awarding of federally-assisted Department contracts and related subcontracts, to include sub-tier subcontracts. This policy supports the position of the U.S. Department of Transportation (DOT) and the FAA to create a level playing field and remove barriers by ensuring nondiscrimination in the award and administration of contracts financed in whole or in part with federal funds. Therefore, on all DOT or FAA-assisted projects the DBE program requirements of 49 CFR Part 26 will apply. The DBE program requirements are set forth in RFQ Exhibit A – DBE Program Overview and Requirements.

## II. SCOPE OF SERVICES

CMT Services to be provided under the PSA(s) resulting from this RFQ must be compliant with ASTM standards and FAA requirements, including those set forth in FAA Advisory Circular (AC) 150/5370-10F, Standards for Specifying Construction on Airports. A listing of specific tests is provided in RFQ Exhibit B – Summary of Required Tests. All CMT Services shall include, but not be limited to, the following:

1. Provide all labor, equipment and transportation necessary to complete CMT Services in a timely fashion to meet project timelines.
2. All tests will be conducted under the guidance and direction of a registered professional engineer or professional licensed to work in the State of Texas, as required by law.
3. Maintain qualified staff to respond to Department's CMT Service requirements throughout the term of the contract. Provide staff for regular, overtime, night and weekend work, as requested by Department. Respondent must be able to provide at a minimum the following personnel and facilities with the experience indicated:
  - A. Field Testing Personnel  
Testing functions occurring in the field such as density testing, material sampling, or specimen preparation may be performed by accredited laboratory personnel or other qualified personnel. Unless otherwise specified, field-testing personnel shall have a minimum of one-year experience in field-testing of the material being placed or constructed. In lieu of working experience, a certificate of completion from an acceptable training course may be accepted subject to FAA approval.
  - B. Laboratory Personnel  
The supervisors of the main testing laboratory and/or field laboratory shall have a minimum of two years prior employment with a testing laboratory with approved accreditation. The laboratory supervisor is ultimately responsible for the testing activity, but need not be present for field sampling or field-testing.
  - C. Testing Laboratory  
The laboratory must have proper accreditation for the specific tests required of the specified material. The laboratory accreditation must be current and listed on the accrediting authority's website. For FAA standard paving materials, the accreditation shall be from a nationally recognized accreditation program (AASHTO, NVLAP, A2LA, etc.) as opposed to a State Highway program. All test methods required for acceptance sampling and testing must be listed on the lab accreditation.
4. Immediately upon award of the PSA(s), take action as outlined in the Procedures for Obtaining Airport Personnel Identification Badge and Airfield Driver's License in RFQ Exhibit C, to obtain at Respondent's expense, sufficient staff security clearances, badges and driving operator licenses to be able to initiate CMT Services in a timely manner upon issuance of a NTP.



5. Promptly forward to Department Project Manager a weekly log on tests and test results in Adobe PDF to avoid any delay in construction progress. At the end of the project, provide a compact disc of all reports in Adobe PDF, which will include the testing lab's letterhead and signed document by a Professional Engineer or appropriate licensed Professional, of the test results which include:
  - a. the project name
  - b. date(s)/ time(s)/ location(s) of service
  - c. report identification number
  - d. price of tests performed and quantity performed
  - e. test results
  - f. agreement standards controlling the test(s)
  - g. compliance or noncompliance with the specifications
  - h. any extenuating circumstances affecting the test(s) or result(s)
  - i. observations to include service time chargeable to delays, rescheduling and overtime premiums
  - j. if manpower is involved, provide names, classification and hours
  - k. number of trip(s) with work performed on the project
  - l. name of person who ordered the test(s)
  - m. identify any and all re-test services
6. At the end of each Project, provide a final report that includes final test results and a quality control report that documents the results of all tests performed. Highlight tests that failed or did not meet the applicable test standard and note corrective action and re-testing results. The report shall include any applied pay reductions and justification for accepting any out-of-tolerance materials.
7. For projects that utilize the Percentage of Material Within Specification Limits (PWL) methodology, perform the PWL calculations and submit to the Engineer and Owner. PWL methodology is presented in FAA AC 150/5370-10F, Standards for Specifying Construction on Airports, Section 110, Method of Estimating Percentage of Material Within Specification Limits (PWL).
8. Vertical project CMT and inspection services will be in accordance with 2012 International Building Code and City of San Antonio Amendments, or most current adopted code.

### III. TERM OF AGREEMENT

An agreement, resulting from this RFQ, would commence after award by City Council and execution by both parties. It shall remain in force for the period of five years.

### IV. PRE-SUBMITTAL CONFERENCE

A Pre-Submittal Conference will be held at the **San Antonio International Airport, Terminal A, Mezzanine Conference Room, 9800 Airport Boulevard, San Antonio, Texas 78216 at 3:00 p.m., Local Time, on Friday, October 5, 2012.** Attendance at the Pre-Submittal Conference is optional, but highly recommended. The Pre-Submittal Conference can be accessed by teleconference by dialing 1-877-226-9790 and entering the access code #8813501.

Respondents are encouraged to prepare and submit their questions in writing five (5) calendar days in advance of the Pre-Submittal Conference in order to expedite the proceedings. City's responses to questions received by this due date may be distributed at the Pre-Submittal Conference and will be posted on the City's website at <http://epay.sanantonio.gov/RFQListings/>.

This meeting place is accessible to disabled persons. The Terminal A Mezzanine Conference Room is wheelchair accessible. The accessible entrance is located at 9800 Airport Blvd, Terminal A. Accessible parking spaces are located within Airport Hourly Parking Garage. Auxiliary aids and services are available upon request. Interpreters for the Deaf must be requested at least 48 hours prior to the meeting. For assistance, call (210) 207-7245 Voice/TTY.

Any oral responses provided by City staff at the Pre-Submittal Conference shall be preliminary. A written summary of the Pre-Submittal Conference shall contain official responses, if any. Any oral response given at the Pre-Submittal Conference that is not confirmed in the written summary of the Pre-Submittal Conference or by a subsequent addendum shall not be official or binding on the City. Only written responses shall be official and all other forms of communication with any officer, employee or agent of the City shall not be binding on the City. Respondents are encouraged to resubmit their questions in writing, to the City Staff person identified in Section VIII – Restrictions on Communication, after the conclusion of the Pre-Submittal Conference.

## **V. SOQ REQUIREMENTS**

Respondent's SOQ shall include the following items in the following sequence, tabbed and noted with the appropriate heading as indicated below.

### **TABLE OF CONTENTS**

- TAB A** – EXECUTIVE SUMMARY: The summary shall include a statement of the work to be accomplished, how Respondent proposes to accomplish and perform each specific service and unique problems perceived by Respondent and their solutions. (The Executive Summary shall be no more than 4 pages in length.)
- TAB B** – RESPONDENT QUESTIONNAIRE: Complete and submit RFQ Attachment 1.  
**NOTE:** The remaining document requirements listed for Tabs C – H are to be placed within Respondent's ORIGINAL proposal only. Additional copies are not required.
- TAB C** – DISCRETIONARY CONTRACTS DISCLOSURE FORM – Complete, print, sign and submit the Discretionary Contracts Disclosure located online at:  
<http://www.sanantonio.gov/eforms/atty/DiscretionaryContractsDisclosure.pdf>
- TAB D** – LITIGATION DISCLOSURE FORM: Complete and submit RFQ Attachment 2. If Respondent is proposing as a team or joint venture, then all persons or entities who will be parties to the agreement (if awarded) shall complete and return this form.
- TAB E** – DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM REQUIREMENTS: Complete, sign and submit the DBE Good Faith Effort Plan for Federally Funded Contracts (DBE Form 1), and Letter of Intent for Federally Funded Contracts (DBE Form 2). Both forms are included under RFQ Attachment 3. Prepare and submit a Narrative Statement for full Compliance.
- TAB F** – PROOF OF INSURABILITY: Submit a letter from Respondent's insurance provider stating provider's commitment to insure the Respondent for the types of coverages and at the levels specified in this RFQ if awarded a contract in response to this RFQ. Respondent shall also submit a copy of their current insurance certificate.
- TAB G** – SIGNATURE PAGE: Complete, sign and submit RFQ Attachment 4. The Signature Page must be signed by a person, or persons, authorized to bind the entity, or entities,

submitting the SOQ. SOQs signed by a person other than an officer of a corporate respondent or partner of partnership respondent shall be accompanied by evidence of authority.

**TAB H – SOQ CHECKLIST:** Complete and submit RFQ Attachment 5.

Respondent is expected to examine this RFQ carefully, understand the terms and conditions for providing the services listed herein and respond completely. FAILURE TO COMPLETE AND PROVIDE ANY OF THESE SOQ REQUIREMENTS MAY RESULT IN THE RESPONDENT'S SUBMISSION BEING DEEMED NON-RESPONSIVE AND THEREFORE DISQUALIFIED FROM CONSIDERATION.

## **VI. AMENDMENTS TO RFQ**

Amendments to the RFQ, including written responses to questions received in compliance with Section VIII, Restrictions on Communication, may be posted as addendums on the City's website at <http://epay.sanantonio.gov/RFPListings/>. It is Respondent's responsibility to review this site and ascertain whether any amendments have been made prior to submission of a response. A Respondent who does not have access to the Internet, must notify City in accordance with Section VIII, Restrictions on Communication, that Respondent wishes to receive copies of addendums by mail or fax.

No oral statement of any person shall modify or otherwise change or affect the terms, conditions or specifications stated in the RFQ, and changes to the RFQ – if any – shall be made in writing only.

## **VII. SUBMISSION OF SOQs**

- A. Respondent shall submit: One (1) original, signed in ink, eight (8) copies of the SOQ, and one (1) compact disk (CD) containing an Adobe PDF version of the entire SOQ. Respondent shall submit these items in a sealed package, clearly marked on the front of the package: **"Construction Materials Testing Services"**.

All SOQs must be received in the City Clerk's Office no later than **2:00 p.m., Local Time, on Friday, October 26, 2012** at the address below. SOQs submitted prior to the above time and date may be modified provided such modifications are sealed and received by the City Clerk's Office prior to the time and date set for submission of SOQs. Any SOQ or modification received after this time shall not be considered, and will be returned, unopened to the Respondent. Respondents should note that delivery to the P.O. Box address in a timely manner does not guarantee its receipt in the City Clerk's Office by the deadline for submission. Therefore, Respondents should strive for early submission to avoid the possibility of rejection for late arrival.

Mailing Address:

City Clerk's Office, Attn: Aviation Department  
P.O. Box 839966  
San Antonio, Texas 78283-3966

Physical Address:

City Clerk's Office, Attn: Aviation Department  
100 Military Plaza  
2<sup>nd</sup> Floor, City Hall  
San Antonio, Texas 78205

SOQs sent by facsimile or email will not be accepted.

- B. SOQ Format: Each SOQ shall be typewritten, single spaced and submitted on 8 ½" x 11" white paper inside a three ring binder. The use of recycled paper and materials is encouraged. Unnecessarily elaborate brochures, artwork, bindings, visual aides, expensive paper or other materials beyond that sufficient to present a complete and effective submission are not required. Font size shall be no less than 12-point type. All pages shall be numbered and printed two-sided. Margins shall be no less than 1" around the perimeter of each page. Electronic files, websites, or URLs shall not be submitted in lieu of the printed SOQ. Each SOQ must include the sections and attachments in the sequence listed in the RFQ Section V, SOQ Requirements, and each section and attachment must be indexed and divided by tabs and indexed in a Table of Contents page. Failure to meet the above conditions may result in disqualification of the SOQ or may negatively affect scoring.
- C. Respondents who submit SOQs to this RFQ shall correctly state the true and correct name of the individual, proprietorship, corporation, and /or partnership (clearly identifying the responsible general partner and all other partners who would be associated with the contract, if any). No nicknames, abbreviations (unless part of the legal title), shortened or short-hand, or local "handles" will be accepted in lieu of the full, true and correct legal name of the entity. These names shall comport exactly with the corporate and franchise records of the Texas Secretary of State and Texas Comptroller of Public Accounts. Individuals and proprietorships, if operating under other than an individual name, shall match with exact Assumed Name filings. Corporate Respondents and limited liability company Respondents shall include the 11-digit Comptroller's Taxpayer Number on Respondent Questionnaire, RFQ Attachment 1.
- If an entity is found to have incorrectly or incompletely stated its name or failed to fully reveal its identity on the General Information form, the Director of Aviation shall have the discretion, at any point in the contracting process, to suspend consideration of the SOQ.
- D. All provisions in Respondent's SOQ, including any estimated or projected costs, shall remain valid for ninety (90) days following the deadline date for submissions or, if a SOQ is accepted, throughout the entire term of the contract.
- E. All SOQs become the property of the City upon receipt and will not be returned. Any information deemed to be confidential by Respondent should be clearly noted on the page(s) where confidential information is contained; however, the City cannot guarantee that it will not be compelled to disclose all or part of any public record under the Texas Public Information Act, since information deemed to be confidential by Respondent may not be considered confidential under Texas law, or pursuant to a Court order.
- F. Any cost or expense incurred by the Respondent that is associated with the preparation of the SOQ, the Pre-submittal conference, if any, or during any phase of the selection process, shall be borne solely by Respondent.

## VIII. RESTRICTIONS ON COMMUNICATION

A. Respondents are prohibited from communicating with:

1. **Elected City officials and their staff** regarding the RFQ or SOQs from the time the RFQ has been released until the contract is posted as a City Council agenda item; and
2. **City employees** from the time the RFQ has been released until the contract is awarded.

The above restrictions extend to “thank you” letters, phone calls, emails and any contact that results in the direct or indirect discussion of the RFQ and/or SOQ submitted by Respondent. Violation of this provision by Respondent and/or its agent may lead to disqualification of Respondent’s SOQ from consideration.

Exceptions to the above Restrictions on Communication with **City employees** include:

1. Respondents may ask verbal questions concerning this RFQ at the Pre-Submittal Conference.
2. Respondents may submit written questions concerning this RFQ to the Staff Contact Person listed below **until 2:00 p.m., Local Time, on Monday, October 15, 2012**. Questions received after the stated deadline will not be answered. It is suggested that all questions be sent by email to:

Diane Cook, Project Control Manager  
City of San Antonio, Aviation Planning & Development  
[diane.cook@sanantonio.gov](mailto:diane.cook@sanantonio.gov)

However, questions sent by mail will also be accepted and should be addressed to:

Diane Cook, Project Control Manager  
City of San Antonio, Aviation Planning & Development  
457 Sandau Road  
San Antonio, Texas 78216

If submitting questions by mail, it is recommended to send as certified mail, return receipt requested.

Questions submitted and the City’s responses will be posted in the form of an Addendum to the City’s web site at <http://epay.sanantonio.gov/RFPListings/>.

3. Respondent and/or their agents may contact the Department’s DBE Liaison Officer for assistance or clarification with issues specifically related to the DBE Program Overview and Requirements as attached **Exhibit A** and/or completion of the DBE Forms and Narrative Statement. Point of contact is Ms. Lisa Brice, who may be reached via telephone at **(210) 207-3505** or through e-mail at [lisa.brice@sanantonio.gov](mailto:lisa.brice@sanantonio.gov). Respondents and/or their agents may contract Ms. Brice at any time prior to the due date for submission of SOQs. Contacting her or her offices regarding this RFQ after the SOQ due date is not permitted.
4. Respondents may provide responses to questions asked of them by the Staff Contact Person after SOQs are received and opened. During interviews, if any, verbal questions and explanations will be permitted. If interviews are conducted, Respondents shall not bring lobbyists. The City reserves the right to exclude any persons from interviews as it deems in its best interests.



5. Upon completion of the evaluation process, Respondents shall receive a notification letter indicating the recommended firm and anticipated City Council agenda date. Respondents desiring a review of the solicitation process may submit a written request no later than seven (7) calendar days from the date letter was sent. The letter will indicate the name and address for submission of requests for review.
- B. City reserves the right to contact any Respondent to negotiate if such is deemed desirable by City. Such negotiations, initiated by City staff persons, shall not be considered a violation by Respondent of this section.

## IX. EVALUATION CRITERIA

The City will conduct a comprehensive, fair and impartial evaluation of all submittals received in response to this RFQ. The City may appoint a selection committee to perform the evaluation. Each submittal will be analyzed to determine overall responsiveness and qualifications under the RFQ. Criteria to be evaluated may include the items listed below. The selection committee may select all, some or none of the Respondents for interviews. If the City elects to conduct interviews, Respondents may be interviewed and re-scored based upon these same criteria, or other criteria to be determined by the selection committee. The City may also request additional information from Respondents at any time prior to final approval of a selected Respondent. The City reserves the right to select one or none of the Respondents to provide services. Final approval of a selected Respondent is subject to the action of the City of San Antonio City Council. Evaluation criteria are:

- A. Experience of the Prime Firm (30%)
- B. Experience and Qualifications of Key Personnel and Sub-Consultants (25%)
- C. Project and Management Capabilities (25%)
- D. Disadvantaged Business Enterprise Program (DBE) (20%)
  1. The selection process for this RFQ will utilize the following selection criteria for Affirmative Action and DBE/ACDBE participation evaluation purposes:
    - a. Firm(s) presented a Business Diversity Plan and/or policy to the City.
    - b. Firm(s) presented a positive historical DBE/ACDBE utilization on previous contracts.
    - c. Firm(s) includes DBE/ACDBEs in significant and meaningful project involvement.
    - d. Firm(s) meets the DBE/ACDBE goal.
  2. Respondent must provide a Narrative Statement describing Item a - business diversity plan; Item b - positive historical DBE/ACDBE utilization on previous contracts; and Item c - DBE/ACDBEs in significant and meaningful project involvement. **Note: Narrative responses shall be included with SOQ submittal, placed at the end of the DBE/ACDBE section.**

3. The following DBE/ACDBE Participation Percentage Points (20% total) shall be utilized for the award of this project:
  - a. Up to 10 percentage (10%) points based on Respondent's meeting the following criteria:
    - Outreach to small business community
    - Respondent has achieved significant and meaningful diversity in its team compilation
    - Respondent has shown positive DBE/ACDBE utilization on previous contracts
  - b. Up to 10 percentage (10%) points based on Respondent's meeting the DBE/ACDBE goal.
    - Percentage points will be based on the percentage of the goal met.
    - Respondents meeting the goal will receive 10 points.
    - Respondents attaining 50% of the goal will receive 5 points.
    - Respondents attaining 25% of the goal will receive 2.5 points

Less than 25% will be evaluated proportional to the level of utilization identified by the Respondent.

## **X. AWARD OF CONTRACT AND RESERVATION OF RIGHTS**

- A. City reserves the right to award one, more than one or no contract(s) in response to this RFQ.
- B. The Contract, if awarded, will be awarded to the Respondent(s) whose SOQ is deemed most advantageous to City, as determined by the selection committee, upon approval of the City Council.
- C. City may accept any SOQ in whole or in part. If subsequent negotiations are conducted, they shall not constitute a rejection or alternate RFQ on the part of City. However, final selection of a Respondent is subject to City Council approval.
- D. City reserves the right to accept one or more SOQs or reject any or all SOQs received in response to this RFQ, and to waive informalities and irregularities in the SOQs received. City also reserves the right to terminate this RFQ, and reissue a subsequent solicitation, and/or remedy technical errors in the RFQ process.
- E. City will require the selected Respondent(s) to execute a contract in substantially the form as attached with the City, prior to City Council award. No work shall commence until City signs the contract document(s) and Respondent provides the necessary evidence of insurance as required in this RFQ and the Contract. Contract documents are not binding on City until approved by the City Attorney. In the event the parties cannot negotiate and execute a contract within the time specified, City reserves the right to terminate negotiations with the selected Respondent and commence negotiations with another Respondent.
- F. This RFQ does not commit City to enter into a Contract, award any services related to this RFQ, nor does it obligate City to pay any costs incurred in preparation or submission of a SOQ or in anticipation of a contract.
- G. If selected, Respondent will be required to comply with the Insurance and Indemnification Requirements established under PSA Draft, RFQ Exhibit D.
- H. The successful Respondent must be able to formally invoice the City for services rendered, incorporating the SAP-generated contract and purchase order numbers that shall be provided by the City.



- I. Conflicts of Interest. Respondent acknowledges that it is informed that the Charter of the City and its Ethics Code prohibit a City officer or employee, as those terms are defined in the Ethics Code, from having a financial interest in any contract with City or any City agency such as City-owned utilities. An officer or employee has a "prohibited financial interest" in a contract with City or in the sale to City of land materials, supplies or service, if any of the following individual(s) or entities is a party to the contract or sale: the City officer or employee; his parent, child or spouse; a business entity in which he or his parent, child or spouse owns ten (10) percent or more of the voting stock or shares of the business entity, or ten (10) percent or more of the fair market value of the business entity; or a business entity in which any individual or entity above listed is a subconsultant on a City contract, a partner or a parent or subsidiary business entity.

Respondent is required to warrant and certify that it, its officers, employees and agents are neither officials nor employees of the City, as defined in Section 2-42 of the City's Ethics Code. (Discretionary Contracts Disclosure – form may be found online at <https://www.sanantonio.gov/eforms/atty/DiscretionaryContractsDisclosure.pdf>.)

- J. Independent Consultant. Respondent agrees and understands that, if selected, it and all persons designated by it to provide services in connection with a contract, are and shall be deemed to be an independent consultants, responsible for their respective acts or omissions, and that City shall in no way be responsible for Respondent's actions, and that none of the parties hereto will have authority to bind the others or to hold out to third parties, that it has such authority.
- K. Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that persons, or their agents, who seek to contract for the sale or purchase of property, goods, or services with the City, shall file a completed conflict of interest questionnaire with the City Clerk not later than the 7th business day after the date the person: (1) begins contract discussions or negotiations with the City; or (2) submits to the City an application, response to a request for SOQs or bids, correspondence, or another writing related to a potential agreement with the City. The conflict of interest questionnaire form is available from the Texas Ethics Commission at <http://www.ethics.state.tx.us/forms/CIQ.pdf>. Completed conflict of interest questionnaires may be mailed or delivered by hand to the Office of the City Clerk. If mailing a completed conflict of interest questionnaire, mail to: Office of the City Clerk, P.O. Box 839966, San Antonio, TX 78283-3966. If delivering a completed conflict of interest questionnaire, deliver to: Office of the City Clerk, City Hall, 2nd floor, 100 Military Plaza, San Antonio, TX 78205. Respondent should consult its own legal advisor for answers to questions regarding the statute or form.

## XI. SCHEDULE OF EVENTS

Following is a list of projected dates/times with respect to this RFQ:

RFQ Release Date	Wednesday, September 26, 2012
Pre-Submittal Conference	Friday, October 5, 2012; 3:00 p.m.
Final Questions Accepted	Monday, October 15, 2012; 2:00 p.m.
SOQs Due	Friday, October 26, 2012; 2:00 p.m.

**RFQ ATTACHMENTS**

***THE DOCUMENTS  
THAT FOLLOW ARE  
FORMS THAT MUST BE ATTACHED TO YOUR SOQ  
IN THE ORDER INDICATED IN  
RFQ SECTION V – “SOQ REQUIREMENTS”***

**RFQ ATTACHMENT 1**  
**RESPONDENT QUESTIONNAIRE**

**Part A - GENERAL INFORMATION**

1. **Respondent Information:** Provide the following information regarding the Respondent.  
(NOTE: Co-Respondents are two or more entities proposing as a team or joint venture with each signing the contract, if awarded. Sub-contractors are not Co-Respondents and should not be identified here. If this Response includes Co-Respondents, provide the required information in this Item #1 for each Co-Respondent by copying and inserting an additional block(s) before Item #2.)

Respondent Name: \_\_\_\_\_

(NOTE: Give exact legal name as it will appear on the contract, if awarded.)

Principal Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone No. \_\_\_\_\_ Fax No: \_\_\_\_\_

Website address: \_\_\_\_\_

Year established: \_\_\_\_\_

Provide the number of years in business under present name: \_\_\_\_\_

Social Security Number or Federal Employer Identification Number: \_\_\_\_\_

Texas Comptroller's Taxpayer Number, if applicable: \_\_\_\_\_

(NOTE: This 11-digit number is sometimes referred to as the Comptroller's TIN or TID.)

DUNS NUMBER: \_\_\_\_\_

2. **Contact Information:** List the one person who the City may contact concerning your Response or setting dates for meetings.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone No. \_\_\_\_\_ Fax No: \_\_\_\_\_

Email: \_\_\_\_\_

3. Does Respondent anticipate any mergers, transfer of organization ownership, management reorganization, or departure of key personnel within the next twelve (12) months?

Yes ☐ No ☐

4. Is Respondent authorized and/or licensed to do business in Texas?

Yes ☐ No ☐ If "Yes", list authorizations/licenses.

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5. Where is the Respondent's corporate headquarters located? \_\_\_\_\_

6. **Local Operation:** Does the Respondent have an office located in San Antonio, Texas?

Yes ☐ No ☐ If "Yes", respond to a and b below:

a. How long has the Respondent conducted business from its San Antonio office?

Years \_\_\_\_\_ Months \_\_\_\_\_

b. State the number of full-time employees at the San Antonio office. \_\_\_\_\_

7. **County Operation:** If the Respondent does not have a San Antonio office, does the Respondent have an office located in Bexar County, Texas?

Yes ☐ No ☐ If "Yes", respond to a and b below:

a. How long has the Respondent conducted business from its Bexar County office?

Years \_\_\_\_\_ Months \_\_\_\_\_

b. State the number of full-time employees at the Bexar County office. \_\_\_\_\_

8. **Debarment/Suspension Information:** Has the Respondent or any of its principals been debarred or suspended from contracting with any public entity?

Yes ☐ No ☐ If "Yes", identify the public entity and the name and current phone number of a representative of the public entity familiar with the debarment or suspension, and state the reason for or circumstances surrounding the debarment or suspension, including but not limited to the period of time for such debarment or suspension.

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9. **Surety Information:** Has the Respondent ever had a bond or surety canceled or forfeited?

Yes ☐ No ☐ If "Yes", state the name of the bonding company, date, amount of bond and reason for such cancellation or forfeiture.

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10. **Bankruptcy Information:** Has the Respondent ever been declared bankrupt or filed for protection from creditors under state or federal proceedings?

Yes ☐ No ☐ If "Yes", state the date, court, jurisdiction, cause number, amount of liabilities and amount of assets.

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11. Provide any other names under which Respondent has operated within the last 10 years.

**Part B - REFERENCES** - Provide the following information for references on each of the three projects listed in response to Item #8 under the Experience of the Prime Firm section on Part C of this Questionnaire.

**Reference No. 1:**

Firm/Company Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone No. \_\_\_\_\_ Fax No: \_\_\_\_\_

Email: \_\_\_\_\_

Date and Type of Service(s) Provided: \_\_\_\_\_

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**Reference No. 2:**

Firm/Company Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone No. \_\_\_\_\_ Fax No: \_\_\_\_\_

Email: \_\_\_\_\_

Date and Type of Service(s) Provided: \_\_\_\_\_

**Reference No. 3:**

Firm/Company Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone No. \_\_\_\_\_ Fax No: \_\_\_\_\_

Email: \_\_\_\_\_

Date and Type of Service(s) Provided: \_\_\_\_\_

**Part C – STATEMENT OF QUALIFICATIONS** - Prepare and submit responses to address the following items.

**EXPERIENCE OF THE PRIME FIRM (30%)**

1. State Respondent's primary line of business and provide the requested information:

Primary Business: \_\_\_\_\_

Years in Primary Business: \_\_\_\_\_ Years

Percentage of 2011 Revenue Derived from Primary Business: \_\_\_\_\_%

2. Indicate any other lines of business in which Respondent is involved:

Other Lines of Business: \_\_\_\_\_

Percentage of 2011 Revenue Derived from Other Lines of Business: \_\_\_\_\_%

3. State the number of years experience the Respondent has in:

Providing CMT Services: \_\_\_\_\_ Years

Providing FAA Compliant CMT Services at Airports: \_\_\_\_\_ Years

4. State the number of CMT Services Projects completed in the last 5 years: \_\_\_\_\_ Projects

5. State the number of CMT Services Projects completed in the last 5 years at Airports: \_\_\_\_\_ Projects

6. State the number of CMT Services Projects completed in the last 5 years which required knowledge of FAA requirements: \_\_\_\_\_

7. State the Number of IDIQ Contracts the Respondent is/has been a party to: \_\_\_\_\_

8. List and describe three relevant CMT Services projects performed, preferably within an aviation environment or facility, over the past four years. Include the number and types of tests that were completed. Indicate the roles of staff assigned to the projects. Identify challenges encountered and associated resolutions. (Do not include projects performed for the City and/or its Department.)
9. Provide a list of the CMT Services projects Respondent has completed for the City in the past four years. List only the Project name and the City Department to which the services were provided.
10. Describe the Respondent's experience with IDIQ contracts.
11. Additional Information. Identify any additional skills, experiences, qualifications, and/or other relevant information about the Respondent's qualifications.
12. Provide a copy of each relevant current laboratory accreditation and accredited test methods.

#### **EXPERIENCE AND QUALIFICATIONS OF KEY PERSONNEL AND SUB-CONSULTANTS (25%)**

1. Prepare a table showing, in alphabetical order by last name, the information requested in Items "a – k" below for each person on the Organizational Chart. Insert responses to Item I below after the table. These narrative responses should be in alphabetical order by last names.
  - a. Name:
  - b. Firm:
  - c. Title:
  - d. Expected Role on Projects, if selected:
  - e. Years with Firm:
  - f. Years Experience in providing CMT Services:
  - g. Years Experience in providing FAA compliant CMT Services at Airports:
  - h. Highest Degree/Discipline/School:
  - i. Certifications:
  - j. Memberships:
  - k. Licenses:
  - l. Narrative Description of Experience on Relevant Projects of similar scope. (Do not repeat descriptions of projects used in response to Experience of the Firm, #7 above. Simply cross reference to that response.)
2. For each applicable sub-consultant, provide a copy of each relevant current laboratory accreditation and accredited test methods.



## **PROJECT RESOURCES AND MANAGEMENT CAPABILITIES (25%)**

1. Describe the Respondent's QA/QC Program.
2. Describe laboratory(ies) to be used and their certifications and hours of operations. State if these labs are able to process samples, as appropriate, from all tests listed in Exhibit B. If not, state alternate resources for processing such samples.
3. Indicate the level of present/projected workload and staffing. Describe how Respondent will ensure availability to timely respond to WORs and staff Projects during the term of the Agreement, if awarded.
4. Describe how Respondent and individuals assigned will meet the security badging and airfield licensing requirements.
5. If Respondent is proposing as a team or joint venture or has included sub-consultants, describe the rationale for selecting the team members and the extent to which the team members, joint venturers and/or sub-contractors have worked together in the past.
6. Describe how the prime firm will address coordination and management between and among the team members.
7. Describe procedures to be used to coordinate testing with the architects, engineers, authorities having jurisdiction, contractor and the City as well as reporting procedures used to communicate construction material tests results.

## RFQ ATTACHMENT 2

### LITIGATION DISCLOSURE

**Respond to each of the questions below by checking the appropriate box. Failure to fully and truthfully disclose the information required by this Litigation Disclosure form may result in the disqualification of your response from consideration or termination of the contract, once awarded.**

1. Have you or any member of your Firm or Team to be assigned to this engagement ever been indicted or convicted of a felony or misdemeanor greater than a Class C in the last five (5) years?

Yes ☐ No ☐

2. Have you or any member of your Firm or Team to be assigned to this engagement been terminated (for cause or otherwise) from any work being performed for the City of San Antonio or any other Federal, State or Local Government, or Private Entity?

Yes ☐ No ☐

3. Have you or any member of your Firm or Team to be assigned to this engagement been involved in any claim or litigation with the City of San Antonio or any other Federal, State or Local Government, or Private Entity during the last ten (10) years?

Yes ☐ No ☐

**If you have answered "Yes" to any of the above questions, please indicate the name(s) of the person(s), the nature, and the status and/or outcome of the information, indictment, conviction, termination, claim or litigation, as applicable. Any such information should be provided on a separate page, attached to this form and submitted with your response.**

### RFQ ATTACHMENT 3

#### SAN ANTONIO INTERNATIONAL AIRPORT (SAIA) DBE GOOD FAITH EFFORT PLAN FOR FEDERALLY FUNDED CONTRACTS (DBE FORM 1)

**NAME OF PROJECT:** **CONSTRUCTION MATERIALS TESTING SERVICES**

**PROPOSER INFORMATION:**

Name of Proposer: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone No. \_\_\_\_\_ Email Address: \_\_\_\_\_

Is your firm certified? ☐ Yes ☐ No Type of Certification: ☐ DBE ☐ MBE ☐ WBE ☐ AABE ☐ SBE

Age of Firm (Number of Years in Business): \_\_\_\_\_ years

Annual Gross Receipts of the Firm: \_\_\_\_\_ Less than \$500,000 \_\_\_\_\_ \$500,000 to \$1 million  
 \_\_\_\_\_ \$1 million to \$2 million \_\_\_\_\_ \$2 million to \$5 million  
 \_\_\_\_\_ Over \$5 million

1. List **ALL SUBCONTRACTORS/SUPPLIERS** that will be utilized on this contract. **(An approved Good Faith Effort Plan is required prior to award of any contract. )**

Name & Address of Company	Scope of Work/Supplies to be Performed/ Provided by Firm	Estimated Contract or % Level of Participation	If Firm is DBE Certified, Provide Certification Number	Date Written Notice Was Sent and Method (Letter, Fax, E-mail)
1.				
2.				
3.				
4.				
5.				
6.				
7.				

(Use Additional Sheets if Necessary)  
**If Goal is Met, Skip to Item 9**

2. List all firms you contacted with subcontracting/supply opportunities for this project that will not be utilized for this contact by choice of either the proposer, subcontractor, or supplier. *Written notices to firms contacted by the proposer for specific scopes of work identified for subcontracting/supply opportunities must be provided to subcontractor/supplier not less than five (5) business days prior to bid/proposal due date.* The following information is required for all firms that were contacted of subcontracting/supply opportunities:

Name & Address of Company	Scope of Work/Supplies to be Performed/ Provided by Firm	Estimated Contract Amount or % Level of Participation	If Firm is DBE Certified, Provide Certification Number	Date Written Notice Was Sent and Method (Letter, Fax, E-mail)	Reason Agreement Was Not Reached
1.					
2.					
3.					
4.					
5.					
6.					
7.					

(Use additional sheets as needed)

In order to verify a proposer's good faith efforts, it may be necessary to provide the City with copies of the written notices to all firms contacted by the proposer for specific scopes of work identified in relation to the subcontracting/supply opportunities in the above named project. If requested by the DBE Liaison, copies of said notices must be provided to the DBE Liaison within five (5) business days of such request. Such notices shall include information on the plans, specifications and scope of work.

3. Did you attend the pre-proposal conference scheduled by the City for this project?  
☐ Yes ☐ No
4. List all DBE listings or directories, contractor associations, and/or any other associations utilized to solicit DBE subcontractors/suppliers:  


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5. Discuss efforts made to define additional elements of the work proposed to be performed by DBEs in order to increase the likelihood of achieving the goal:  


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6. Indicate advertisement mediums used for soliciting bids from DBEs. (Please attach a copy of the advertisement(s):

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7. Discuss efforts made to assist interested DBEs in obtaining bonding, lines of credit, or insurance:

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8. Discuss efforts made to assist interested DBEs in obtaining necessary equipment, supplies, materials, or related assistance or services:

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9. Name and phone number of person appointed to coordinate and administer the Federal DBE Good Faith Efforts of your company on this project.

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

#### **AFFIRMATION**

*I HEREBY AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE. I FURTHER UNDERSTAND AND AGREE THAT, THIS DOCUMENT SHALL BE ATTACHED THERETO AND BECOME A BINDING PART OF THE CONTRACT.*

NAME AND TITLE OF AUTHORIZED OFFICIAL: \_\_\_\_\_  
SIGNATURE: \_\_\_\_\_

#### **FOR San Antonio INTERNATIONAL AIRPORT USE ONLY:**

Plan Reviewed by \_\_\_\_\_ Date: \_\_\_\_\_

Signature of DBE Liaison

Recommendation:    Approval: \_\_\_\_\_                      Denial: \_\_\_\_\_

Action Taken:        Approval: \_\_\_\_\_                      Denied: \_\_\_\_\_

**LETTER OF INTENT**  
**FOR FEDERALLY FUNDED CONTRACTS**  
**(DBE FORM 2)**

The requirements of 49 CFR Part 26 (Section 26.53), of the U.S. Department of Transportation, requires that all bidders/proposers comply with good faith efforts requirements as a matter of responsiveness. Each solicitation for which a contract goal has been established will require the bidders/proposers to submit the following information from each Subcontractor/Supplier for this contract (as listed on Item 1 of DBE Good Faith Effort Plan for Federally Funded Contracts [DBE Form 1]):

**NAME OF PROJECT:** **CONSTRUCTION MATERIALS TESTING SERVICES**

Name of bidder/proposer's firm: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Name of Subcontractor/Supplier: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Contact Person: \_\_\_\_\_

Is the above firm Certified: Yes \_\_\_\_\_ No \_\_\_\_\_ If certified, Certification No: \_\_\_\_\_

Type of Certification: DBE MBE WBE AABE SBE

If firm is certified, please attach a copy of the Certification Affidavit with this form.

Age of Firm (Number of Years in Business: \_\_\_\_\_ Years

Annual Gross Receipts of the Firm: Less than \$500, 0000

\$500,000 to \$1 million

\$1 million to \$2 million	\$2 million to \$5 million
----------------------------	----------------------------

Over \$5 million

NAICS Code and/or Description of work to be performed by firm:

The bidder/proposer is committed to utilizing the above-named firm for the work described above. The estimated dollar value of this work is \$\_\_\_\_\_.

## Affirmation

The above named firm affirms that it will perform the portion of the contract for the estimated dollar value as stated above.

By: \_\_\_\_\_

Signature of Firm's Representative

Date \_\_\_\_\_

Title: \_\_\_\_\_

NAME OF PROJECT: CONSTRUCTION MATERIALS TESTING SERVICES

DECLARATION OF PRIME CONTRACTOR

*I hereby declare and affirm that I am the*

\_\_\_\_\_  
(Title of Declarant)

*and a duly authorized representative of*

\_\_\_\_\_  
(Name of Prime Contractor)

*to make this declaration and that I have personally reviewed the material and facts set forth in this Intent to Perform form. To the best of my knowledge, information and belief, the facts and representations contained in this form are true, the owner or authorized agent of the firm signed this form in the place indicated, and no material facts have been omitted.*

*The undersigned intends to enter into a formal agreement with the listed firm for work as indicated by this form and will, if requested, provide the Airport's DBE Liaison with a copy of that agreement within three (3) business days of execution.*

\_\_\_\_\_  
(Name of Declarant)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

**SUBMIT THIS PAGE FOR EACH SUBCONTRACTOR/SUPPLIER FOR THIS CONTRACT, AS LISTED ON ITEM 1 OF DBE GOOD FAITH EFFORT PLAN FOR FEDERALLY FUNDED CONTRACTS [DBE FORM 1] AND/OR CHANGE OR ADDITION OF SUBCONTRACTORS/SUPPLIERS ON FEDERALLY FUNDED CONTRACTS (DBE FORM 3)  
RFQ ATTACHMENT 4**



## RFQ ATTACHMENT 4

### SIGNATURE PAGE

**PROJECT: CONSTRUCTION MATERIALS TESTING SERVICES**

The undersigned certifies that (s) he is authorized to submit this SOQ on behalf of the entity named below:

\_\_\_\_\_  
Respondent Entity Name  
Signature: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

(NOTE: If SOQ is submitted by Co-Respondents, an authorized signature from a representative of each Co-Respondent is required. Add additional signature blocks as required.)

\_\_\_\_\_  
Co-Respondent Entity Name  
Signature: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By signature(s) above, Respondent(s) is willing to sign, the PSA in substantial form with the understanding that compensation and scope will be negotiated, and agrees to the following:

1. If Respondent is a corporation, Respondent will be required to provide a certified copy of the resolution evidencing authority to enter into the contract, if other than an officer will be signing the contract.
2. If awarded a contract in response to this RFQ, Respondent will be able and willing to comply with the insurance and indemnification requirements set out in RFQ Exhibit D – Draft Professional Services Agreement.
3. If awarded a contract in response to this RFQ, Respondent will be able and willing to comply with all representations made by Respondent in Respondent's SOQ and during RFQ process.
4. Respondent has fully and truthfully submitted a Litigation Disclosure form with the understanding that failure to disclose the required information may result in disqualification of SOQ from consideration.
5. Respondent agrees to fully and truthfully submit a Respondent Questionnaire and understands that failure to fully disclose requested information may result in disqualification of SOQ from consideration or termination of contract, once awarded.
6. To comply with the City's Ethics Code, particularly Section 2-61 that prohibits a person or entity seeking a City contract - or any other person acting on behalf of such a person or entity - from contacting City officials or their staff prior to the time such contract is posted as a City Council agenda item.

## RFQ ATTACHMENT 5

### SOQ CHECKLIST

#### PROJECT: CONSTRUCTION MATERIALS TESTING SERVICES

Use this checklist to ensure that all required documents have been included in the SOQ and that they are properly tabbed and appear in the correct order.

Tab in Respondent's SOQ	Document	Initial to Indicate Document is Attached to SOQ
	<b>Table of Contents</b>	
A	<b>Executive Summary</b>	
B	<b>Respondent Questionnaire</b> (Use RFQ Attachment 1)	
<b>NOTE:</b> Remaining items listed in Tabs C – H are required in the ORIGINAL proposal only. Additional copies are not required, unless otherwise instructed.		
C	<b>*Discretionary Contracts Disclosure Form</b> (Download from web address provided in RFQ Section V, TAB C)	
D	<b>Litigation Disclosure</b> (Use RFQ Attachment 2)	
E	<b>DBE Items</b> including: <ul style="list-style-type: none"> <li>• <b>*DBE Form 1 and DBE Form 2</b> (Use RFQ Attachment 3)</li> <li>- AND -</li> <li>• <b>Narrative Statement</b> (<i>Provide original and one (1) copy.</i>)</li> </ul>	
F	<b>Proof of Insurability</b> including: <ul style="list-style-type: none"> <li>• <b>Insurance Provider's Letter</b></li> <li>- AND -</li> <li>• <b>Copy of Current Certificate of Insurance</b></li> </ul>	
G	<b>* Signature Page</b> (Use RFQ Attachment 4)	
H	<b>SOQ Checklist</b> (Use RFQ Attachment 5)	
	One (1) Original, eight (8) Copies, and <b>one (1)</b> CD of entire SOQ in PDF format.	

**\*Documents marked with an asterisk on this checklist require a signature. Be sure they are signed prior to submittal of SOQ.**

## **RFQ EXHIBIT A**

### **SAN ANTONIO INTERNATIONAL AIRPORT (SAIA) DBE PROGRAM - 49 CFR PART 26 DBE PROGRAM OVERVIEW AND REQUIREMENTS**

#### **PROJECT: CONSTRUCTION MATERIALS TESTING SERVICES**

The San Antonio International Airport has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U. S. Department of Transportation (DOT), 49 CFR Part 26. The City of San Antonio has received federal financial assistance from the Department of Transportation and as a condition of receiving this assistance, the City of San Antonio has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the San Antonio International Airport that it will ensure that DBEs as defined in Part 26, have an equal opportunity to receive and participate in DOT assisted contracts. It is our policy:

1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts.
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT-assisted contracts; and
6. To assist in the development of firms that can compete successfully in the market place outside the DBE Program.

#### **DBE OBLIGATION**

The San Antonio International Airport and/or its contractor agrees to ensure that DBEs as defined in 49 CFR Part 26 have an equal opportunity to participate in the performance of contracts financed in whole or in part with federal funds provided under this agreement. In this regard the San Antonio International Airport and its contractors shall not discriminate on the basis of race, color, national origin, gender, or disability in the award and performance of DOT-assisted contracts.

#### **DBE GOAL**

The DOT regulations require that overall project goals be calculated consistent with the process in Section 26.45 for setting goals under DOT assisted projects (49 CFR Section 23.95 [a]). The San Antonio International Airport has applied the two-step process as outlined in 49 CFR Section 26.45. This two-step process consists of determining the relative availability of DBEs ready, willing, and able in the local market area ("base figure"). Step 2 is to adjust the "base figure" percentage from Step 1 so that it reflects as accurately as possible the DBE participation the City would expect in the absence of discrimination based on past participation. The local market area is defined as Bexar County, Texas, unless otherwise noted.

A firm submitting a proposal for this project is asked to make good faith efforts to meet or exceed the goal for DBE participation. All respondents that do not meet the goals set for this project are subject to good faith efforts review. The City will evaluate the respondent's good faith efforts to achieve DBE goals.

#### **THE DBE GOAL FOR CONSTRUCTION MATERIALS TESTING SERVICES UNDER THE PROFESSIONAL SERVICES AGREEMENT IS 14.4%**

## **CERTIFICATION**

1. A contractor/bidder/proposer shall submit to the City a copy of the DBE Certification Affidavit, for all DBE firms utilized or proposed to be utilized as subcontractors or suppliers in the performance of work on said project with the Letter of Intent (DBE Form 2).
2. The Certification Affidavit must be from a firm that has been certified by one of the five (5) certifying agencies of the Texas Unified Certification Program (TUCP). The five agencies are: Texas Department of Transportation (TxDot), North Central Texas Regional Certification Agency (NCTRCA), South Central Texas Regional Certification Agency (SCTRCA), City of Houston, and Corpus Christi Regional Transportation Authority. Each certifying entity will maintain and process all DBE applications in their designated area throughout the state.
3. A firm must be certified on or before the bid/proposal due date in order for the firm's proposed work on the particular contract to be credited toward the DBE goal. It is not enough for a certification application to have been submitted by the deadline.

## **COUNTING JOINT VENTURES**

Joint Ventures do not have to be fifty-one percent (51%) DBE owned in order to be counted toward the participation goal. *Joint ventures that do not include any DBE firms will not count toward the goal.* A joint venture with ownership of DBE partners in any percentage will be counted for that percentage equal to the distinct, clearly defined portion of the work of the contract that the DBE performs with its own forces, (provided the DBE ownership is real and substantial and the DBEs are performing a commercially useful function).

The required documentation to be submitted to the City, along with the proposal, for Joint Ventures with DBE partners shall include:

- a. The Joint Venture Agreement for the specific contract including a detailed statement of ownership.
- b. Corporate resolutions or other documents authorizing the firms to enter into the Joint Venture.
- c. A description of the work to be performed by all the Joint Venture Partners.
- d. Proof of current certification status of the individual DBE venture partners.

## **GOOD FAITH EFFORTS**

The bidder/proposer shall demonstrate, to the satisfaction of the DBE Liaison that genuine efforts have been made to achieve the DBE goal. The requirements for demonstrating "good faith efforts" are set forth as follows:

1. Written notices to DBEs contacted by the bidder/proposer for specific scopes of work identified by the bidder/proposer for subcontracting opportunities not less than five (5) business days prior to bid due date. Such notices shall include information on the plans, specifications and scope of work, including the deadline for submission of interest in teaming;
2. Attendance at a pre-bid conference, if any, scheduled by the City to inform DBEs of subcontracting opportunities under a given solicitation.
3. Efforts made to define additional elements of the work proposed to be performed by DBEs in order to increase the likelihood of achieving the goals.
4. For those DBES responding affirmatively in writing to the notice required by Item 1 above,
  - (a) reasons why agreements were not reached, including written explanation for rejection of bids;
  - (b) if additional elements of work have been identified by the bidder/proposer as available for subcontracting, the bidder/proposer shall contact the Department of Economic Development or the Aviation's DBE Liaison to ascertain the availability of DBE firms in those areas.
5. Efforts to assist DBE contractors with bonding, insurance, and financing, where appropriate.

6. Seeking the assistance of the Aviation's DBE Liaison or the Department of Economic Development in contacting DBEs.
7. A bidder/proposer shall commit to the minimum percentage of DBE utilization as submitted with its bid/proposal on this contract. During the term of this contract, any unjustified failure to comply with the level of DBE participation identified in the bid/proposal shall be considered a material breach of contract.
8. If the bidder/proposer is a certified DBE and the DBE bidder/proposer intends to perform a portion of the work with its own work force, the DBE bidder/proposer must identify the work specifically by type and dollar value and must perform the work indicated with its own work forces in order to have that work counted toward the goal. (Even though the bidder/proposer is a certified DBE does not relieve the DBE bidder/proposer of the responsibility to make good faith efforts.)
9. In addition, all bidders/proposers will be required to submit the following information with the bid:
  - (a) The names and addresses of DBE firms that will participate in the contract;
  - (b) A description of the work that each DBE will perform
  - (c) The dollar amount of the participation of each DBE firm participating
  - (d) Written documentation of the bidder's/proposer's commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
  - (e) Written confirmation from the DBE that it is participating in the contract as provided in the bidder's/proposer's commitment.

#### **EVALUATION OF GOOD FAITH EFFORTS**

The good faith effort of a bidder/proposer will be evaluated by the DBE Liaison to determine whether the efforts to obtain DBE participation were those that a firm seeking subcontractors would take in the normal course of doing business; whether the steps taken had a reasonable prospect of success; and whether based upon the size, scope and complexity of the subcontract, there were qualified DBE firms available and willing to accept the contract at a competitive price.

The following is a list of types of actions, which the DBE Liaison may consider as part of the bidder's/proposer's good faith efforts to obtain DBE participation. It is not intended to be a mandatory checklist, nor is it intended to be exclusive or exhaustive. Other factors or types of efforts may be relevant in appropriate cases.

#### **Criteria used to evaluate "Good Faith Efforts" are as follows:**

1. Soliciting through all reasonable and available means (e.g. attendance at pre-proposal conferences, advertising and/or written notices) the interest of certified DBEs who have the capability to perform the work of the contract. The bidder/proposer must solicit this interest within sufficient time to allow the DBEs to respond to the solicitation. The bidder/proposer must determine with certainty if the DBEs are interested by taking appropriate steps to follow up initial solicitations.
2. Selecting portions of the work to be performed by DBEs in order to increase the likelihood that the DBE goal will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the prime contractor might otherwise prefer to perform these work items with its own forces.
3. Providing interested DBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.
4. (a) Negotiating in good faith with interested DBEs. It is the bidder's/proposer's responsibility to make a portion of the work available to DBE subcontractors and/or suppliers and to select those portions of the work or material needs consistent with the available DBE subcontractors and/or suppliers, so as to facilitate DBE participation. Evidence of such negotiation includes



the names, addresses, and telephone numbers of DBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional agreements could not be reached for DBEs to perform the work.

- (b) A bidder/proposer using good business judgment would consider a number of factors in negotiating with subcontractors, including DBE subcontractors, and would take a firm's price and capabilities as well as contract goals into consideration. However, the fact that there may be some additional costs involved in finding and using DBEs is not in itself sufficient reason for a prime contractor failure to meet the contract DBE goal, as long as such costs are reasonable. Also, the ability or desire of a prime contractor to perform the work of a contract with its own organization does not relieve the prime contractor of the responsibility to make good faith efforts. Prime contractors are not, however, required to accept higher quotes from DBEs if the price difference is excessive or unreasonable.
- 5. Not rejecting DBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The contractor's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of bids in the contractor's efforts to meet the project goal.
- 6. Making efforts to assist interested DBEs in obtaining bonding, lines of credit, or insurance.
- 7. Making efforts to assist interested DBEs in obtaining necessary equipment, supplies, materials, or related assistance or services.
- 8. Effectively using the services of available minority/women community organizations; minority/women contractors' groups; local, state, and Federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of DBEs.
- 9. In determining whether a bidder/proposer has made good faith efforts, the DBE Liaison may take into account the performance of other bidders in meeting the contract. For example, when the apparent successful bidder fails to meet the contract goal, but others meet it, the DBE Liaison may reasonably raise the question of whether, with additional reasonable efforts, the apparent successful bidder could have met the goal. If the apparent successful bidder fails to meet the goal, but meets or exceeds the average DBE participation obtained by other bidders, the DBE Liaison may view this, in conjunction with other factors, as evidence of the apparent successful bidder having made good faith efforts.

### **RECONSIDERATION MECHANISM**

The Department's DBE Liaison will evaluate the "good faith efforts" of a firm. If after reviewing the good faith efforts submitted by Bidder/Proposer, the DBE Liaison determines that the Bidder/Proposer has failed to adequately document its good faith efforts, then the Bidder/Proposer shall have the opportunity to provide written documentation or argument, to the Aviation Director, concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The Bidder/Proposer will have the opportunity to meet in person with the Aviation Director to discuss the issue of whether it met the goal or made adequate good faith efforts to do so. The Aviation Director will provide a written decision on reconsideration explaining the basis of his decision. In cases of dispute, the final decision in determining whether Good Faith Efforts have been made rests with the Aviation Director.

The Aviation Director may determine that the efforts of the Bidder/Proposer substantially comply with the purpose of this program and such determination is in the best interest of the DBE Program and the City. However, if the Aviation Director determines that the Bidder/Proposer did not make good faith efforts to meet the goal, the decision is not administratively appealable to the Department of Transportation

### **COMPLIANCE**

If a bidder/proposer is awarded a contract:

**The bidder/proposer must not terminate for convenience a DBE subcontractor (or an approved substitute DBE firm) and then perform the work of the terminated subcontract with its own forces or those of an affiliate, without the City's prior written consent. When a DBE subcontractor is terminated, or fails to complete its work on the contract for any reason, the bidder/proposer must notify the City immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation. The City may withhold payment on invoice**

1. line items to the contractor for contractor's failure to receive the prior written consent from the City for any changes to subcontractors and/or suppliers as reflected on contractors approved Good Faith Effort Plan (DBE Form 1) and/or Letter of Intent (DBE Form 2).
2. The Bidder/Proposer will be required to make good faith efforts to find another DBE to perform at least the same amount of work under the contract as the DBE that was terminated, to the extent needed to meet the contract goal the City has established for this contract. The Bidder/Proposer will be required to obtain the DBE Liaison's prior approval of the substitute DBE, through the submittal of Change of Subcontractors/Suppliers (DBE Form 3) and to provide copies of new or amended subcontracts, or documentation of good faith efforts. If the Bidder/Proposer fails or refuses to comply in the time specified, our office may issue a termination for default.

### **PROMPT PAYMENT**

The Prime Contractor agrees to pay each subcontractor under this contract for satisfactory performance of its subcontract **no later than fifteen (15) days** from the date that the prime contractor has been paid by the City for invoices submitted for performance of subcontractor's work. A delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the City of San Antonio. This clause applies to both DBE and non-DBE subcontractors.

### **RETAINAGE PAYMENTS**

The prime contractor agrees to provide subcontractor prompt and full payment of retainage within 30 days after the subcontractor's work is satisfactorily completed. In the event that the prime contractor does not provide the subcontractor prompt and full payment of retainage within 30 days, the City may elect to decline to hold retainage from prime contractors and prohibit prime contractors from holding retainage for subcontractors.

For purposes of payments (prompt and retainage), a subcontractor's work is satisfactorily completed when all the tasks called for in the subcontract have been accomplished and documented as required by the City. When a recipient has made an incremental acceptance of a portion of a prime contract, the work of a subcontractor covered by that acceptance is deemed to be satisfactorily completed.

Any delay or postponement of payment by the prime contractor, may take place only for good cause, with the City's prior written approval. The Bidder/Proposer will use appropriate alternative dispute resolution mechanisms to resolve payment disputes. Those mechanisms will be provided to the City for its review prior to the start of the contract.



### **PAYMENT VERIFICATION**

**The prime contractor shall submit a City of San Antonio Disadvantaged Business Enterprise Subcontractor/Supplier Activity and Expenditures Report to the project manager and/or contract administrator along with the monthly pay request.** The report shall be in the format required by the City and shall include all awards and payments to subcontractors/suppliers for goods and services provided under the agreement during the previous month. This report may be used by the City to verify utilization of and payment to DBEs.

The prime contractor and any subcontractor whose contracts are being counted toward the DBE requirement shall allow the City access to records relating to the contract, including but not limited to, subcontracts, payroll records, tax information and accounting records, for the purpose of determining whether the DBEs are performing the scheduled work.

### **CONTRACT REQUIREMENTS**

The goals on this contract shall also apply to amendments that require work beyond the scope of services originally required to accomplish the project. The prime contractor is asked to make "good faith efforts" to obtain DBE participation for additional scope(s) of services. Amendments that do not alter the type of service originally required to accomplish the project may be undertaken using the subcontractor and suppliers already under contract to the prime contractor. Any amendment affecting the scope of service or value of the contract should be documented on a form acceptable to the City.

## **RFQ EXHIBIT B**

### **SUMMARY OF REQUIRED TESTS**

The City may require the following types of tests in conjunction with various construction projects over the term of the proposed Agreement. This Summary is not comprehensive and the City may require tests not listed herein.

#### **Vertical Tests**

1. 1706 - Design Strengths of Materials
2. 1707 - Alternative Test Procedures
3. 1708 - Test Safe Load
4. 1709 - In-Situ Load Test
5. 1710 - Preconstruction Load Tests
6. 1711 - Material & Test Standards

#### **FAA Horizontal Tests**

1. ASTM D6938 - 10 Standard Test Method for In-Place Density and Water Content of Soil and Soil-Aggregate by Nuclear Methods (Shallow Depth)
2. ASTM D1556 - 07 Standard Test Method for Density and Unit Weight of Soil in Place by the Sand-Cone Method
3. ASTM D2167 - 08 Standard Test Method for Density and Unit Weight of Soil in Place by the Rubber Balloon Method
4. ASTM C136 - 06 Standard Test Method for Sieve Analysis of Fine and Coarse Aggregates
5. ASTM D422 - 63(2007) Standard Test Method for Particle-Size Analysis of Soils
6. ASTM D698 - 12 Standard Test Methods for Laboratory Compaction Characteristics of Soil Using Standard Effort (12400 ft-lbf/ft<sup>3</sup> (600 kN-m/m<sup>3</sup>))
7. ASTM D1557 - 12 Standard Test Methods for Laboratory Compaction Characteristics of Soil Using Modified Effort (56,000 ft-lbf/ft<sup>3</sup> (2,700 kN-m/m<sup>3</sup>))
8. ASTM D3665 - 12 Standard Practice for Random Sampling of Construction Materials
9. ASTM C117 - 04 Standard Test Method for Materials Finer than 75- $\mu$ m (No. 200) Sieve in Mineral Aggregates by Washing
10. ASTM D75 / D75M - 09 Standard Practice for Sampling Aggregates
11. ASTM D3665 - 12 Standard Practice for Random Sampling of Construction Materials
12. ASTM D558 - 11 Standard Test Methods for Moisture-Density (Unit Weight) Relations of Soil-Cement Mixtures
13. ASTM D6927 - 06 Standard Test Method for Marshall Stability and Flow of Bituminous Mixtures
14. ASTM D3203 / D3203M - 11 Standard Test Method for Percent Air Voids in Compacted Dense and Open Bituminous Paving Mixtures
15. ASTM D2726 - 11 Standard Test Method for Bulk Specific Gravity and Density of Non-Absorptive Compacted Bituminous Mixtures
16. ASTM D1188 - 07e1 Standard Test Method for Bulk Specific Gravity and Density of Compacted Bituminous Mixtures Using Coated Samples
17. ASTM C642 - 06 Standard Test Method for Density, Absorption, and Voids in Hardened Concrete
18. ASTM C172 / C172M - 10 Standard Practice for Sampling Freshly Mixed Concrete
19. ASTM C31 / C31M - 12 Standard Practice for Making and Curing Concrete Test Specimens in the Field
20. ASTM C78 / C78M - 10 Standard Test Method for Flexural Strength of Concrete (Using Simple Beam with Third-Point Loading)
21. ASTM C39 / C39M - 12 Standard Test Method for Compressive Strength of Cylindrical Concrete Specimens

22. ASTM C34 - 10 Standard Specification for Structural Clay Load-Bearing Wall Tile
23. ASTM C174 / C174M - 12 Standard Test Method for Measuring Thickness of Concrete Elements Using Drilled Concrete Cores
24. ASTM D2321 - 11 Standard Practice for Underground Installation of Thermoplastic Pipe for Sewers and Other Gravity-Flow Applications
25. Grade Tolerance – Straightedge
26. Thickness – Physical Measurement, Depth Test or Sample holes
27. ASTM D4318 - 10 Standard Test Methods for Liquid Limit, Plastic Limit, and Plasticity Index of Soils
28. ASTM C92 - 95(2010) Standard Test Methods for Sieve Analysis and Water Content of Refractory Materials
29. ASTM C143 / C143M - 10a Standard Test Method for Slump of Hydraulic-Cement Concrete
30. ASTM C1064 / C1064M - 11 Standard Test Method for Temperature of Freshly Mixed Hydraulic-Cement Concrete
31. ASTM C535 - 09 Standard Test Method for Resistance to Degradation of Large-Size Coarse Aggregate by Abrasion and Impact in the Los Angeles Machine
32. ASTM D2041 / D2041M - 11 Standard Test Method for Theoretical Maximum Specific Gravity and Density of Bituminous Paving Mixtures

### **COSA Horizontal Tests**

1. Tex-101-E - Preparing Soil and Flexible Base Materials for Testing
2. Tex-103-E - Determining Moisture Content in Soil Materials
3. Tex-104-E - Determining Liquid Limits of Soils
4. Tex-106-E - Calculating the Plasticity Index of Soils
5. Tex-107-E - Determining the Bar Linear Shrinkage of Soils
6. Tex-110-E - Particle Size Analysis of Soils
7. Tex-113-E - Laboratory Compaction Characteristics and Moisture-Density Relationship of Base Materials
8. Tex-114-E - Laboratory Compaction Characteristics and Moisture-Density Relationship of Subgrade, Embankment Soils, and Backfill Material
9. Tex-115-E - Field Method for Determining In-Place Density of Soils and Base Materials
10. Tex-116-E - Ball Mill Method for Determining the Disintegration of Flexible Base Material
11. Tex-120-E - Soil-Cement Testing
12. Tex-121-E - Soil-Lime Testing
13. Tex-126-E - Molding, Testing, and Evaluating Bituminous Black Base Materials
14. Tex-130-E - Slurry Testing
15. Tex-200-F - Sieve Analysis of Fine and Coarse Aggregates
16. Tex-203-F - Sand Equivalent Test
17. Tex-204-F - Design of Bituminous Mixtures
18. Tex-207-F - Determining Density of Compacted Bituminous Mixtures
19. Tex-211-F - Recovery of Asphalt from Bituminous Mixtures by the Abson Process
20. Tex-212-F - Determining Moisture Content of Bituminous Mixtures
21. Tex-217-F - Determining Deleterious Material and Decantation Test for Coarse Aggregates
22. Tex-222-F - Sampling Bituminous Mixtures
23. Tex-226-F - Indirect Tensile Strength Test
24. Tex-227-F - Theoretical Maximum Specific Gravity of Bituminous Mixtures
25. Tex-236-F - Determining Asphalt Content from Asphalt Paving Mixtures by the Ignition Method
26. Tex-240-F - Determining Optimum Residual Asphalt Content (RAC) for Polymer-Modified Slurry Seal (Microsurfacing) Mixtures
27. Tex-241-F - Superpave Gyrotory Compacting of Test Specimens of Bituminous Mixtures
28. Tex-242-F - Hamburg Wheel-Tracking Test

29. Tex-243-F - Tack Coat Adhesion
30. Tex-244-F - Thermal Profile of Hot Mix Asphalt
31. Tex-280-F - Determining Flat and Elongated Particles
32. Tex-400-A - Sampling Flexible Base, Stone, Gravel, Sand, and Mineral Aggregates
33. Tex-401-A - Sieve Analysis of Fine and Coarse Aggregate
34. Tex-402-A - Fineness Modulus of Fine Aggregate
35. Tex-406-A - Material Finer than 75 Micrometer (No. 200) Sieve in Mineral Aggregates (Decantation Test For Concrete Aggregates)
36. Tex-407-A - Sampling Freshly Mixed Concrete
37. Tex-408-A - Organic Impurities in Fine Aggregate for Concrete
38. Tex-410-A - Abrasion of Coarse Aggregate Using the Los Angeles Machine
39. Tex-411-A - Soundness of Aggregate Using Sodium Sulfate or Magnesium Sulfate
40. Tex-413-A - Determining Deleterious Material in Mineral Aggregate
41. Tex-414-A - Air Content of Freshly Mixed Concrete by the Volumetric Method
42. Tex-415-A - Slump of Hydraulic Cement Concrete
43. Tex-416-A - Air Content of Freshly Mixed Concrete by the Pressure Method
44. Tex-418-A - Compressive Strength of Cylindrical Concrete Specimens
45. Tex-422-A - Measuring Temperature of Freshly Mixed Portland Cement Concrete
46. Tex-423-A - Determining Pavement Thickness by Direct Measurement
47. Tex-424-A - Obtaining and Testing Drilled Cores of Concrete
48. Tex-426-A - Estimating Concrete Strength by the Maturity Method
49. Tex-427-A - Correlating Concrete Strength Tests
50. Tex-430-A - Slump Loss of Hydraulic Cement Concrete
51. Tex-436-A - Measuring Texture Depth by the Sand Patch Method
52. Tex-440-A - Initial Time of Set of Fresh Concrete
53. Tex-447-A - Making and Curing Concrete Test Specimens
54. Tex-448-A - Flexural Strength of Concrete Using Simple Beam Third-Point Loading
55. Tex-460-A - Determining Crushed Face Particle Count
56. Tex-461-A - Degradation of Coarse Aggregate by Micro-Deval Abrasion
57. Tex-472-A - Uniformity of Concrete
58. Tex-500-C - Sampling Bituminous Materials, Pre-Molded Joint Fillers, and Joint Sealers
59. Tex-524-C - Testing Pre-Molded Joint Fillers for Concrete
60. Tex- 525-C - Tests for Asphalt and Concrete Joint Sealers
61. Tex-526-C - Test for Cold Applied Plastic Asphalt Sewer Joint Compound
62. Tex-530-C - Effect of Water on Bituminous Paving Mixtures
63. Tex-600-J - Sampling and Testing Lime
64. Tex-612-J - Acid Insoluble Residue for Fine Aggregate
65. Tex-739-I - Sampling and Testing Epoxy Coated Reinforcing Steel
66. Moisture-Density Relationship
67. Atterberg Limits (Sampled and conducted in conjunction with Moisture-Density Relationship)
68. Sieve Analysis
69. Field Density Tests
70. Concrete Compressive Strength Testing & Flexural Strength Testing including Slump and Temperature Tests
71. Asphalt Cores of In-place Asphalt Paving
72. L.A. Abrasion Test
73. Asphaltic Concrete Extraction, Gradation, Bitumen Content, Stability, Laboratory Density, and Rice Gravity
74. Slurry Seal Testing (Field Measurement of slurry seal application)
75. Inspection/ Sampling at Pre-cast Manufacturer
76. Materials Sampling
77. Proofrolling Observations
78. Lime Stabilized Subgrade and Base Course Thickness Checks

- 79. Aggregate Base Course Analysis (Field Gradations)
- 80. Sandcone Field Density Check
- 81. Concrete Placement Observation
- 82. Concrete Compression Check
- 83. Reinforcing Steel Observation
- 84. Asphalt Density Determination
- 85. Marshall/ Hveem Stability Testing
- 86. Maximum Theoretical Density Test
- 87. Asphalt Extraction Tests
- 88. Asphalt Field Densities Tests
- 89. Asphalt Pavement Thickness Verification

## RFQ EXHIBIT C

### **PROCEDURES FOR OBTAINING AIRPORT PERSONNEL IDENTIFICATION BADGE AND AIRFIELD DRIVER'S LICENSE**

#### **AT**

#### **SAN ANTONIO INTERNATIONAL AIRPORT (SAT)**

As per FAA/TSA guidelines, a person performing work in the Security Identification Display Area (SIDA), Secured Area, Sterile Area or Airport Operations Area must have a valid Personnel Identification Badge (known as a SAT badge) or be under an airport approved escort by a person having a SAT badge with the white "E" (escort endorsement) on the badge. Furthermore, each badge holder with the white "E" may escort up to two (2) unbadged individuals while keeping same under positive control at all times while in the SIDA, Secured Area, Sterile Area and/or the project site. Note: If the person is disqualified from receiving a SAT badge during the badge application process, or becomes disqualified after receiving a SAT badge, the individual can no longer be present anywhere within the SIDA, Secured Area, Sterile area and/or the project areas.

If driving is involved, the person must have a valid SAT badge and the appropriate airfield driver's license to operate a vehicle in the SIDA and/or the project site. If a vehicle escort is required, each SAT badge holder with the white "E" on his badge (and the appropriate airfield driver's license) may escort up to two (2) vehicles if there is only one unbadged person in each vehicle being escorted.

All vehicles operating in the SIDA or the project area must have the appropriate airport approved company signage on the vehicle. The signage must meet the following requirements: Company name must be in at least six inch (6") tall lettering and/or the company logo must be at least twelve inches (12") tall. The signage must be placed on both vertical sides of any self propelled, motorized vehicle at all times while within the SIDA or the project site. If signage is not available, an Airport issued "Top Hat" may be used for vehicles under an airport approved vehicle escort or while parked in the SIDA.

The procedures to obtain an Airport Personnel Identification Badge and/or an airport driver's license are as follows:

#### **A. Airport Personnel Identification Badge (SAT ID Badge):**

1. The Airport Security Personnel Identification Office (AS PIO) is located at 9623 West Terminal Drive, Bldg. #1322.
2. Once the San Antonio International Airport, Planning & Development Division (P&D) has notified the AS PIO of an approved City contract which will require the badging of personnel, the Project Manager (PM) must call (210) 207-3526 to schedule an appointment with the AS PIO to make arrangements to become an Authorizing Signatory for all SAT badges to be issued to the Contractor's employees working on the contract. Once the Authorizing Signatory has completed the required procedures (i.e., fingerprint-based Criminal History Records Check (CHRC)), Security Threat Assessment (STA) background check, SIDA training, Authorizing Signatory training, etc.) to receive his SAT badge, he will then be authorized to approve applications for other Contractor employees under his responsibility. Note: If an employee of Contractor has been convicted of any of the offenses listed in Exhibit C-1 hereto, that employee will be immediately disqualified from obtaining a SAT badge and will be ineligible to perform work at SAT.
3. All SAT ID badge applications are processed electronically via an online application process. Once the Contractor's Authorizing Signatory has been trained successfully on his



responsibilities and completed all phases of the badging process, the website address for Contractor's employees to use to complete the application will be provided. Furthermore, the Authorizing Signatory will be provided instructions on how to setup, use and approve badge applications via the online badging system.

4. As of October 1, 2011 badge processing fees are:

<b>AIRPORT SECURITY BADGE &amp; ID OFFICE SERVICE</b>	
	<u>Amount</u>
Fingerprint-based Criminal History Records Check (CHRC)/ STA	\$65.00
Identification Badge (New/ Renewal/ Replacement/ Exchange)	\$35.00
Non-Returned Identification Badge	\$75.00
Reactivation of Identification Badge (Security Violation)	
1 <sup>st</sup> Offense	\$25.00
2 <sup>nd</sup> Offense	\$50.00
3 <sup>rd</sup> Offense	\$75.00
Progressive Security Fee Program	Sliding Scale
AOA Parking Decal (for General Aviation leasehold only)	\$ 5.00

There is no refund for badge processing fees.

5. As part of the badging process, all Contractor employees are required to complete a computer-based SIDA training class. All documents necessary to complete the application process (including obtaining the applicants fingerprints to conduct a CHRC must be completed before the Contractor's employees may attend the computer-based SIDA training class. The class is held on a first come, first served basis and is generally available during the following days/times: Monday – Thursday, 8:00 a.m. – 3:00 p.m., and Friday, 8:00 a.m. – 10:30 a.m. and 1:00 p.m. – 3:00 p.m. The SIDA class takes approximately 45 minutes to 1 hour to complete and the applicant must make a 100% on the final test to successfully complete.



## **B. Airfield Driver License:**

1. Contact the Airport Operations Office (AOO) at 207-3475 for hours of operations and procedures. The Airport Operations Office is located at 457 Sandau Rd., San Antonio, TX 78216. The individual has to show a current valid Texas Driver License, a current valid Airport Personnel Identification Badge and a copy of certificate of insurance document of the individual's employer with the proper coverage must be submitted to the AOO to be kept on file.
2. The non-movement classes are held on Mondays and Tuesdays at 9:00 A.M, and Thursday at 1:00 P.M. The movement classes are held Tuesdays at 1:00 P.M. and Thursdays at 9:00 A.M. There will be a test at the end of each class. The airfield driver license can only be issued to a person passing the test.
3. There is a \$15.00 Fee for Non-Movement Driver's License, \$20.00 for Movement Driver's License, and a \$10.00 Replacement Fee for a lost license. A \$5.00 refund will be issued if the lost license is found within 30 days of the receipt date. For the construction contracts, there is no separate line item on the bid proposal for the costs involved and the costs shall be considered incidental to mobilization expenses.
4. The licensed driver can only travel on the areas authorized and use the gate approved by the Airport Police. A driver who loses his or her Airfield Driver License is responsible for reporting the loss immediately to Airport Operations Office. The employee will be responsible to pay the replacement fee for his/her airfield license.
5. The company shall have coverage for the vehicles used inside Air Operations Area for the project involved at all times. An Automobile Liability Policy with no less than a Combined, Single Limit for Bodily Injury and Property Damage of \$5,000,000 per occurrence, or its equivalent in Umbrella or Excess Liability Coverage. In addition, the City of San Antonio must be listed as an "additional insured" in the endorsement section.

The Insurance can be under the Company name if a company vehicle will be used and the vehicle must be listed in the insurance policy either specifically by VIN number or generally by covering all autos owned, leased or operated while conducting business on behalf of the company. If this is a private vehicle covered only by personal insurance, the insurance must be under the drivers name and VIN number must be listed. It is the company's responsibility to notify the Department for any insurance changes.

6. At the end of the project, the authorized Project Manager shall return all airfield driver licenses to Planning and Development and at the end of the return process the final payment for the work can be processed.

## RFQ EXHIBIT C-1

### LIST OF DISQUALIFYING CRIMES

#### **AUTHORIZATION FOR FINGERPRINT-BASED CRIMINAL HISTORY RECORDS CHECK**

Please read and review the following list of disqualifying criminal offenses as listed in Transportation Security Regulation (TSR) 1542.209 (d).

1. Forgery of certificates, false marking of aircraft, and other aircraft registration violation; 49 U.S.C. 46306
2. Interference with air navigation; 49 U.S.C. 46308
3. Improper transportation of a hazardous material; 49 U.S.C. 46312
4. Aircraft piracy; 49 U.S.C. 46502
5. Interference with flight crew members or flight attendants; 49 U.S.C. 46504
6. Commission of certain crimes aboard aircraft in flight; 49 U.S.C. 46506
7. Carrying a weapon or explosive aboard aircraft; 49 U.S.C. 46505
8. Conveying false information and threats; 49 U.S.C. 46507
9. Aircraft piracy outside the special aircraft jurisdiction of the United States; 49 U.S.C. 46502(b)
10. Lighting violations involving transporting controlled substances; 49 U.S.C. 46315
11. Unlawful entry into an aircraft or airport area that serves air carriers or foreign air carriers contrary to established security requirements; 49 U.S.C. 46314
12. Destruction of an aircraft or aircraft facility; 18 U.S.C. 32
13. Murder
14. Assault with intent to murder
15. Espionage
16. Sedition
17. Kidnapping or hostage taking
18. Treason
19. Rape or aggravated sexual abuse
20. Unlawful possession, use, sale, distribution, or manufacture of an explosive or weapon
21. Extortion
22. Armed or felony unarmed robbery
23. Distribution of, or intent to distribute, a controlled substance
24. Felony arson
25. Felony involving a threat
26. Felony involving:
  - a) Willful destruction of property
  - b) Importation or manufacture of a controlled substance
  - c) Burglary
  - d) Theft
  - e) Dishonesty, fraud, or misrepresentation
  - f) Possession or distribution of stolen property
  - g) Aggravated assault
  - h) Bribery
  - i) Illegal possession of a controlled substance punishable by a maximum term of imprisonment of more than 1 year
27. Violence at international airports; 18 U.S.C. 37
28. Conspiracy or attempt to commit any of the criminal acts listed in this paragraph (d)

**RFQ EXHIBIT D**

**DRAFT PROFESSIONAL SERVICES AGREEMENT**

*(Posted as a Separate Document)*